

MINUTES OF THE  
EAST COVENTRY TOWNSHIP BOARD OF SUPERVISORS  
SPECIAL MEETING HELD ON MARCH 14, 2005  
(Approved April 4, 2005)

The Board of Supervisors held a Special Meeting on Monday, March 14, 2005. Present for the meeting were supervisors Robert F. Preston, W. Atlee Rinehart, David Leinbach, John "Jay" Doering and Timothy Roland. Also in attendance were Casey LaLonde, Township Manager, John A Koury, Jr., Township Solicitor, Walt Woessner, Township Planning Commission and Wayne Grafton, Township Planner. Mr. Preston called the meeting to order at 7:15 p.m.

**PUBLIC COMMENTS**

None.

**GORDON WALKER – PUBLIC FINANCIAL MANAGEMENT, INC.**

Gordon Walker of Public Financial Management, Inc., presented a verbal invoice in the amount of \$15,022.31 for work related to the Township's effort to secure bond proceeds from the DelVal and Emmaus loan programs. As an alternative, the Township applied for and received approval for a \$1,000,000 loan for the Township building expansion and other projects from National Penn Bank.

Mr. Walker presented a packet of information on the work done to date, including amortization tables and other financial information in connection with the National Penn Bank loan. In addition, Mr. Walker noted that he procured a loan proposal from Wachovia Bank, to serve as an alternative to the National Penn Bank loan.

Leinbach stated that it was his understanding that Mr. Walker was working under a contingency fee arrangement with the Township, and that payment was only to be received by Mr. Walker if the Township utilized the DelVal or Emmaus bond loan programs. Mr. Walker conceded that he usually works in a contingency fee arrangement for projects like this, but in this case he was working as a financial advisor for the Township and spent considerable time working for the Township in reviewing all loan proposals. Mr. Walker stated that he recommended George Aman as bond counsel, and that recommendation alone saved the Township several thousand dollars over customary loan / bond closing costs.

Preston stated that Mr. Walker was acting as the Township's financial advisor for the loan and that he should be paid for his work. Preston stated that if the Township does not pay Mr. Walker for services rendered, Public Financial Management, Inc., may not agree to represent the Township in the upcoming \$3,500,000 Phase II Sewer System bond issue. Leinbach stated that many bond companies exist to solicit request for proposals for the upcoming bond issue.

Rinehart made a motion to pay \$14,000 to Gordon Walker of Public Financial Management, Inc., for services rendered on the 2004 Township loan. Preston seconded the motion. The vote was 2-1-2 with Leinbach opposing and Doering and Roland abstaining.

The Township Manager and Leinbach stated that according to Second Class Township Code, the vote was not valid, as a majority of those Board members present did not vote in favor of the

motion. Preston stated that according to Robert's Rules of Order, the vote was valid because a majority "of those voting" approved the motion. Township Planning Commission Vice-Chairman Walt Woessner agreed, stating that the Township has followed Robert's Rules of Order in the past and that the vote was valid. The Township Manager stated that Second Class Township Code supersedes Robert's Rules of Order and that any vote would have to conform to the Code.

Doering and Roland abstained due to the fact that the work was completed by Mr. Walker in 2004, prior to their tenure on the Board of Supervisors. Mr. Walker stated he would forward a written invoice tomorrow to the Township Manager for processing.

### **ZONING ORDINANCE UPDATE**

Walt Woessner raised several Zoning Ordinance issues.

Leinbach made a motion to eliminate "or altered" in Section 1206 of the Zoning Ordinance and rewrite Section 1202.6 to clarify the nonconformity of a residential structure through the continuance, but not increase of a nonformity. Rinehart seconded the motion. The motion carried unanimously.

Preston made a motion to eliminate "mixed dwelling" from Section 1115, specifically in Sections 1115.13 and 1115.15 of the Zoning Ordinance. Leinbach seconded the motion. The motion carried unanimously.

Rinehart made a motion to eliminate Section 1118.8A of the Zoning Ordinance. Leinbach seconded the motion. The motion carried unanimously.

The Township Manager was requested to create a master list of these Zoning Ordinance changes and submit to the Board and Task Force.

Leinbach made a motion to allow the Chairman to appoint two (2) Supervisors to work in conjunction with Township staff and professionals to complete the draft Zoning Ordinance. Doering seconded the motion. The motion carried unanimously. The Chairman appointed David Leinbach and Tim Roland.

The Township Manager was requested to forward a copy of the Zoning Map to the Board for review and comment.

Township Planner Wayne Grafton requested that comments to Articles IX, X and XI and the Zoning Map be forwarded to the Township Manager by 4:30 p.m., March 28, 2005.

### **ADT – ACCESS CONTROL / CLOSED CIRCUIT TELEVISION QUOTATION**

Leinbach presented an overview of the proposed card key access control and closed circuit television quotation from ADT for the Township building expansion. ADT is the Pennsylvania State Contract subcontractor, so the Township may use the "Piggyback" program and not go out to bid for the materials and installation. The card key access system is priced at \$15,440 and the closed circuit television system is priced at \$18,615.

Doering made a motion to approve the ADT contracts in the above stated amounts. Rinehart seconded the motion. The motion carried unanimously.

#### **GARRAMONE ANIMALS ISSUE**

Preston inquired about the Zoning Officer's status on the Garramone animals issue. The Township Manager stated he would get a status report from the Zoning Officer.

#### **EVANS ZONING HEARING**

The Board requested that Chris Paff, Township Zoning Officer, appear and present his report on 87 Bethel Church Road and the related Zoning Hearing at the March 17, 2005 Zoning Hearing.

#### **ADJOURNMENT**

The Board adjourned at 9:20 p.m.

Respectfully submitted,

David K. Leinbach  
Secretary